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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
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OFFICE OF PETITIONS

In re Application of
Hideki Tanaka
Application No. 10/644,745
Filed: August 21, 2003
Attorney Docket No. 07553.0044
Title of Invention: Plasma Leak Monitoring
Method, Plasma Processing Apparatus and
Plasma Processing Method

ON PETITION

This is a decision on the petition under 37 CFR §1.181 filed January 26, 2005 to withdraw the holding of abandonment.

The petition filed under 37 CFR 1.181 is **Granted**.

This above-identified application became abandoned for failure to file a response to a Notice to File Missing Parts which was mailed on November 19, 2003. The Notice to File Missing Parts set an extendable two (2) month period for reply. No timely request for extension of time was obtained under the provisions of 37 CFR §1.136(a).

Accordingly, this application became abandoned on January 20, 2004. A Notice of Abandonment was mailed on October 28, 2004.

Petitioner contends a reply to the Notice of Missing Parts was submitted on December 15, 2003. In support of petitioner's contention a stamped post card receipt has been provided. The communication was matched to the serial number identified in the communication, namely, serial No. 10/644,754. The communication did not timely reach the correct application (10/644,745) due to petitioner's error. As a result of this error, the application was held abandoned.

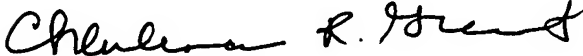
Correspondence directed to the Patent and Trademark Office concerning a previously filed application for a patent must identify the application number and filing date assigned to that application by the Office. See, 37 CFR 1.5(a). In the above-referenced

application, applicant failed to correctly identify the application by citing an incorrect application number in the correspondence. The Office elects, in this instance, to treat applicant's transposition of numbers as a correctable minor error as permitted under MPEP 502. However, applicant is reminded that minor errors, such as occurred in the instant application, are to be avoided in the future by the careful review of correspondence prior to submission to the Office.

The Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

This application is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.


Charlema R. Grant
Petition Attorney
Office of Petitions